

ESTTA Tracking number: **ESTTA298752**

Filing date: **08/03/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190741
Party	Defendant Guion Partners, Inc.
Correspondence Address	Daniel I. Schloss Greenberg Traurig, LLP 200 Park Avenue, 34th Floor New York, NY 10166 UNITED STATES
Submission	Answer
Filer's Name	Daniel I. Schloss
Filer's e-mail	schlossd@gtlaw.com
Signature	/Daniel I. Schloss/
Date	08/03/2009
Attachments	91190741GMUSICAnswer.pdf ( 3 pages )(66396 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**IN THE MATTER OF APPLICATION**

Mark: GMUSIC  
Applicant: Guion Partners, Inc.  
Serial No.: 77077779  
Published in  
the **Official Gazette**: February 24, 2009

G RECORDS, INC.,	)	
	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91190741
	)	
GUION PARTNERS, INC.,	)	
	)	
Applicant.	)	
<hr/>		

**ANSWER**

Applicant Guion Partners, Inc. (“Applicant”), by and through undersigned counsel,  
hereby answers the Notice of Opposition as follows:

1. Applicant admits the allegations set forth in Paragraph 1 of the Notice of Opposition.
2. The allegations set forth in Paragraph 2 of the Notice of Opposition are incomprehensible and therefore require no response.
3. Applicant lacks information or knowledge sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 3 of the Notice of Opposition and therefore denies same.

4. Applicant lacks information or knowledge sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 4 of the Notice of Opposition and therefore denies same.

5. Applicant lacks information or knowledge sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 5 of the Notice of Opposition and therefore denies same.

6. Applicant denies the allegations set forth in Paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition.

8. Applicant denies each and every allegation set forth in Paragraph 8 of the Notice of Opposition, including subparagraphs (a), (b), (c), and (d) thereof.

9. The unnumbered “Wherefore” paragraph of the Notice of Opposition is a prayer for relief; Applicant denies that Opposer is entitled to any relief.

#### **AFFIRMATIVE DEFENSES**

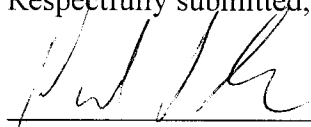
10. Opposer’s claims are barred by the doctrine of unclean hands.

11. Opposer’s claims are barred by the doctrine of estoppel.

12. Opposer’s purported marks are weak, diluted, and entitled to a limited scope of protection.

WHEREFORE, Applicant respectfully submits that Opposer's Notice of Opposition should be denied.

Dated: August 3, 2009

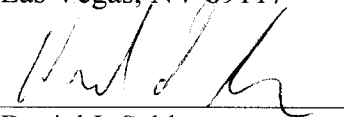
Respectfully submitted,  
  
By: \_\_\_\_\_  
Daniel I. Schloss  
GREENBERG TRAURIG, LLP  
200 Park Avenue  
New York, New York 10166  
(212) 801-9200  
*Attorneys for Applicant*

CERTIFICATE OF SERVICE

Date: August 3, 2009

The undersigned hereby certifies that a true and correct copy of the foregoing Answer has been served by first class mail, postage prepaid, this 3rd day of August 2009 upon Opposer at the following correspondence address of record:

Barry Goldman  
G RECORDS, G MUSIC  
9030 W. Sahara, Suite 661  
Las Vegas, NV 89117

  
\_\_\_\_\_  
Daniel I. Schloss